

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	x	
TARYN SINGER,)	
)	Case No. 7:17-cv-02507-VB
Plaintiff,)	
)	REQUEST FOR JUDICIAL
-against-)	NOTICE IN SUPPORT OF
)	AMERICAN EXPRESS
AMERICAN EXPRESS CENTURION BANK,)	CENTURION BANK'S
)	MOTION TO DISMISS
Defendant.)	
-----	x	

Defendant American Express Centurion Bank (“AECB”), respectfully requests that the Court take judicial notice of the following documents pursuant to Federal Rule of Evidence 201 in connection with the AECB’s concurrently submitted Motion to Dismiss:

1. A complete copy of Taryn Singer’s (“Plaintiff”) October 27, 2016 account statement, a copy of which is attached hereto as Exhibit A. (A partial copy of the statement is attached to the Complaint.)

2. The Cardmember Agreement between Plaintiff and AECB for Plaintiff’s Blue Cash Preferred Card account ending in 1004, a copy of which is attached hereto as Exhibit B.

The kinds of facts that are appropriate for judicial notice are those “not subject to reasonable dispute because [they]: (1) [are] generally known within the trial court’s territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b); see, e.g., *Epstein v. JPMorgan Chase & Co.*, No. 13 CIV. 4744 KPF, 2014 WL 1133567, at *1 (S.D.N.Y. Mar. 21, 2014) (taking judicial notice of plaintiff’s cardmember agreement); see also *Schnall v. Marine Midland Bank*, 225 F.3d 263, 266 (2d Cir.2000) (stating that the court could consider a cardholder agreement, account

history and monthly statements offered by defendants on a motion to dismiss where those documents were integral to the complaint and plaintiff had notice of them). Accordingly, AECB requests that this Court take judicial notice of Exhibits A and B attached hereto.

Dated: New York, New York
October 12, 2017

STROOCK & STROOCK & LAVAN LLP

By: /s/ Raymond A. Garcia
Raymond A. Garcia

180 Maiden Lane
New York, New York 10038
Telephone: 212-806-5400
Fax: 212-806-6006
Email: rgarcia@stroock.com

*Attorneys for Defendant
American Express Centurion Bank*